



U.S. Department of Justice

United States Attorney  
Southern District of New York

50 Main Street, Suite 1100  
White Plains, New York 10606

January 24, 2023

**BY ECF & EMAIL**

The Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

The plea proceeding is adjourned without date. The parties shall provide a status update no later than 2/8/23. The time between today and 2/8/23 is hereby excluded under the Speedy Trial Act in the interests of justice. The ends of justice served by the exclusion outweigh the best interests of the public and the defendant in a speedy trial because it will enable the parties to work through a conflict of interest and for Mr. Resnick to determine what course is in his best interest.

**Re: *United States v. Daniel Resnick, 22 Cr. 682 (CS)***

SO ORDERED.

  
CATHY SEIBEL, U.S.D.J.

1/25/23

Dear Judge Seibel:

With apologies for the last-minute nature of this request, the Government writes to respectfully request that the Court adjourn the change-of-plea proceeding in the above-referenced case scheduled for tomorrow, January 25, 2023. The parties have learned of a conflict of interest, and we request additional time to permit us to determine whether the defendant wishes to waive the conflict and, if so, whether it is waivable. We will provide the Court with a status update by no later than February 8, 2023, in which we will either request additional time or will ask the Court to set a date for a conference or hearing, as appropriate.

The Government respectfully requests that the Court exclude time under the Speedy Trial Act until February 8, 2023 to permit the parties to navigate this conflict and finalize a potential pretrial resolution of the case. Defense counsel Kerry Lawrence consents to the requested exclusion of time.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

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Cc: Kerry Lawrence, Esq.